



February 13, 2004

Assistant Commissioner of Patents

Washington, DC 20231

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Technology Center 2600

**PROTEST UNDER 37 CFR 1.291(a)**

Re: SYSTEM AND METHOD OF INSERTING  
ADVERTISEMENTS INTO AN INFORMATION  
RETRIEVAL SYSTEM DISPLAY

US File # **20030135853** Filed: 3/8/1999

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is **20030135853**

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon a database maintained at the client level. The inventor refers to a traditional client/server system as an "information retrieval" system. Within this system, he builds a database containing a plurality of advertisements dynamically retained at the client system. The system is described in paragraphs (0012) and (0014).

The abstract reads, "the method comprising the steps of: compiling a profile of the user of the information retrieval system, including at least information associated with the television programming viewed by the user; requesting, by the client system, an information document from the server computer; selecting, based at least in part on the profile and on designated selection criteria, an advertisement from among a plurality of advertisements for insertion into the information document; inserting data representing the selected advertisement into the information document; and displaying the information document, including the selected advertisement, on the display device.

Selecting a channel or show on television which is tantamount to a URL into a browser locator window then makes a match with data maintained at the client system in the remotely controlled and updated database and in the event a match is made by comparing, an appropriate advertisement is displayed. This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

This embodiment is also described in Claims 5,6,9,13,23,24 and others. Basing ad display based upon program selection comparisons is no different than selecting a URL in a browser or Keyword in a search engine. Whether a cable TV network or the internet or both, both are electronic communication networks.

I am objecting to this patent filing, as it is neither novel nor unique. It is of particular note that while prior art strictly based on VoD and TV, no prior art was submitted with this filing correlating to the internet and only some vague references to server profiling systems. The filers are correct that a targeted system based on program selection, URLs or keywords is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

1. US Patent 6,141,010 ... similar technology
2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 3/8/1999 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.

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European Patent Office

TELEPHONE CALL MANAGEMENT SOFTWARE AND INTERNET MARKETING METHOD

Bibliographic data Description Claims INPADOC LEGAL status

Patent number: CA2328013

Publication date: 1999-10-26

Inventor: ZETMER KARL D (US)

Applicant: ZETMER KARL D (US)

Classification:

International: H04M 1/00

European:

Application number: CA10002328013 10000114

Priority number(s): US 10980002041 10000417 WO 1000US00102 10000410

Also published as:

WO9955066 (A1)

EP1076983 (A1)

Abstract of CA2328013

A telephone call management computer program that provides both call management features and long distance savings for telephone consumers and marketing and advertising services for sponsor companies that wish to advertise to the consumer is disclosed. The call management program is initially stored on a host computer (12) and is then downloaded upon request to user computers (22) along with advertisement banners selected by the sponsor companies. When used, the program automatically front-loads a long distance carrier's PIC code in front of all long distance calls made from the user computers to permit consumers to automatically make long distance phone calls at discounted rates without memorizing numerous PIC codes and without continually shopping for the best long distance rate. The program also provides many enhanced telephone calling options and displays the banners and other advertising directly on the user computers (22) while the consumers use the program.



